

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

Criminal No: 4:14-cr-00141-GHD-DAS-001

FRANK GEORGE OWENS, JR.

ORDER DENYING MOTION FOR COPIES

This matter is before the Court on Frank George Owens's motion for copies, Doc. 694. In his motion, Owens requests copies of the entire record of his trial and appeal.

Owens has not met the statutory requirements to receive free copies of transcripts. 28 U.S.C § 753(f) provides that an indigent individual may obtain free copies of transcripts in (1) criminal matters proceeding under the Criminal Justice Act; (2) habeas and § 2255 proceedings that are nonfrivolous. *United States v. Espinosa*, No. CRIM. C-05-693, 2008 WL 416145, at *1 (S.D. Tex. Feb. 8, 2008) (citing *United States v. MacCollum*, 426 U.S. 317, 96 S. Ct. 2086, 48 L.Ed.2d 666 (1976)). The United States Court of Appeals for the Fifth Circuit affirmed Owen's conviction in this matter on February 22, 2018. Owens did not file a petition for writ of certiorari within 90 days of that judgment. Thus, there are no current criminal proceedings pertaining to Owens. Further, Owens has no pending habeas or § 2255 motions. He is thus not entitled to free copies of the transcripts in this case.

Accordingly, the Court ORDERS that Owens's motion for copies is DENIED without prejudice to his ability either to obtain transcripts at his own costs or to later seek free transcripts should he meet the statutory requirements.

SO ORDERED, this, the 25th day of February, 2019.



SENIOR U.S. DISTRICT JUDGE